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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/632,922   | 08/04/2000  | Peter V. Boesen      | PO4642US0           | 2685             |
| 22885  | 7590        | 01/06/2004           | EXAMINER            |                  |
| MCKEE, VOORHEES & SEASE, P.L.C.<br>801 GRAND AVENUE<br>SUITE 3200<br>DES MOINES, IA 50309-2721 |             |                      | TRAN, TAM D         |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2676                | 17               |

DATE MAILED: 01/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|  |                         |                  |
|--|-------------------------|------------------|
| <b>Office Action Summary</b>   | Application No.         | Applicant(s)     |
|  | 09/632,922              | BOESEN ET AL.    |
|  | Examiner<br>Tam D. Tran | Art Unit<br>2676 |
| <i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>   |                         |                  |
| <b>Period for Reply</b>  |                         |                  |
| <b>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</b>   |                         |                  |
| <ul style="list-style-type: none"> <li>- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>   |                         |                  |
| <b>Status</b>  |                         |                  |
| 1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>01 December 2003</u> .<br>2a) <input type="checkbox"/> This action is <b>FINAL</b> .      2b) <input checked="" type="checkbox"/> This action is non-final.<br>3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.   |                         |                  |
| <b>Disposition of Claims</b>   |                         |                  |
| 4) <input checked="" type="checkbox"/> Claim(s) <u>1-9 and 25-27</u> is/are pending in the application.<br>4a) Of the above claim(s) _____ is/are withdrawn from consideration.<br>5) <input checked="" type="checkbox"/> Claim(s) <u>1-9, 25</u> is/are allowed.<br>6) <input checked="" type="checkbox"/> Claim(s) <u>26 and 27</u> is/are rejected.<br>7) <input type="checkbox"/> Claim(s) _____ is/are objected to.<br>8) <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.   |                         |                  |
| <b>Application Papers</b>  |                         |                  |
| 9) <input type="checkbox"/> The specification is objected to by the Examiner.<br>10) <input type="checkbox"/> The drawing(s) filed on _____ is/are: a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner.<br>Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).<br>Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).<br>11) <input type="checkbox"/> The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.   |                         |                  |
| <b>Priority under 35 U.S.C. §§ 119 and 120</b>   |                         |                  |
| 12) <input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).<br>a) <input type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of:<br>1. <input type="checkbox"/> Certified copies of the priority documents have been received.<br>2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.<br>3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).<br>* See the attached detailed Office action for a list of the certified copies not received.<br>13) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.<br>a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.<br>14) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78. |                         |                  |
| <b>Attachment(s)</b>   |                         |                  |
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)<br>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)<br>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.<br>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.<br>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)<br>6) <input type="checkbox"/> Other: _____.   |                         |                  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26, 27 are rejected under 35 U. S.C. 103(a) as being unpatentable over Buxton et al. (PN6094197) in view of Godfrey et al. (PN 5736973).

2. In regard to claim 26, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It has the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary, and with the prompt feature, the application program has the capability to determine when the character is presented as need. Buxton et al. didn't teach that user incapable of close the graphical keyboard through the user interface until the associated data input fields have been completed. Godfrey et al. teach an on-time control turn off the driver circuit after a

predetermined time has elapsed following activation of the on-off switch (determining that data input fields have been completed) read on the cancellation of user input which interpret that the user terminates the graphical keyboard, see abstract. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the display system of Godfrey et al. onto the graphical keyboard of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by “fell,” prompts the novice user when and as necessary, and turn off power to the system after a predetermined time following the activation of on off switch.

3. In regard to claim 27, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It has the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary, and with the prompt feature, the application program has the capability to determine when the character is presented as need. Buxton et al. didn't teach determining input from user is no longer needed and removing the graphical keyboard. Godfrey et al. teach an on-time control turn off the driver circuit after a predetermined time has elapsed following activation of the on-off switch (input is no longer needed), see abstract. It would have been obvious to a person of ordinary skill

in the art at the time of the invention to incorporate the display system of Godfrey et al. onto the graphical keyboard of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by “fell,” prompts the novice user when and as necessary, and turn off power to the system after a predetermined time following the activation of on off switch.

***Allowable Subject Matter***

4. Claims 1-9, 25 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

The prior art taken singly or in combination does not teach or suggest a method of entering data on to the touch screen display comprising: invoking a graphical keyboard area incapable of user termination independent of termination of the input area; automatically terminating the graphical keyboard area after the desired input is received in the input area; displaying the graphical keyboard on the touch screen display such that the user cannot move, resized, remove or close the graphical keyboard through the user interface until the associated data input fields have been completed or display of data field has been cancel.

The closest prior art shows graphical keyboard having input area but does not disclose invoking a graphical keyboard area incapable of user termination independent of termination of the input area; automatically terminating the graphical keyboard area after the desired input is received in the input area; displaying the graphical keyboard on the touch screen display such that the user cannot move, resized, remove or close the graphical keyboard through the user interface until the associated data input fields have been completed or display of data field has been cancel.

*Response to Arguments*

6. Applicant's arguments filed on 12/1/2003, have been fully considered but they are not persuasive.

Applicant argues that Buxton et al. (hereafter simply Buxton) do not teach a keyboard incapable of user termination. However, examiner respectfully disagrees with the argument because on col. 14, lines 46-55, Buxton teaches a keyboard image is a graphical image generated by processor in accordance with user interface software and display on screen. On Fig. 16, col. 12, lines 16-19, Buxton teaches a graphical keyboard along with the prompt on the view area that directs user inputting the characters as user needs. On the other hand, the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary; Also, with the prompt feature, the application program has the capability to determine when the character is presented as need. On the abstract, Godfrey et al. teach an on-time control turn off the driver circuit after a predetermined time has elapsed following activation of the on-off switch (input is no longer needed). For these reasons, the rejections are maintained.

*Conclusion*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **703-305-4196**. The examiner can normally be reached on MON-FRI from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matthew Bella** can be reached on **703-308-6829**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

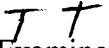
**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

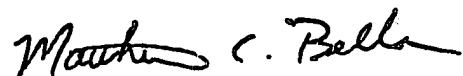
Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose  
telephone number is (703) 306-0377.

Tam Tran

  
Examiner

Art unit 2676



MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600